County of Loudoun

Department of Planning

#5, 6, 7

SUPPLEMENTAL MEMORANDUM

DATE:

June 18, 2009

TO:

Planning Commission

FROM:

Michael Elabarger, Project Manager

SUBJECT:

June 18, 2009

Planning Commission Public Hearing:

SPEX 2008-0011, CWS Exit 6 – Ashburn Village Boulevard

SPEX 2008-0012, CWS Exit 4 – Belmont Ridge Road SPEX 2008-0013, CWS Exit 3 – Shreve Mill Road

RE:

APPLICANT SUBMISSION

REVISED CONDITIONS of APPROVAL

REVISED ACTION MOTIONS

Applicant Submission – Landscape Buffer History

In response to questions posed by the Commission at the Briefing meeting on June 11, 2009, regarding landscape buffering at the existing telecommunications sites, the applicant submitted the attached documentation. The applicant may reference these materials in their presentation to the Commission at the public hearing.

Conditions of Approval (revised to June 17, 2009)

Since the public hearing staff report was published, Staff has added a note following the Conditions regarding a contribution by the applicant to the serving volunteer Fire and Rescue agency at a rate of \$0.10 per gross square foot of the (proposed) compound area. The applicant is in agreement with this note.

Action Motions

Attached are the motions for action, revised per the Conditions noted above.

Attachments:

- 1. Applicant Submission, Landscape Buffer information, dated June 12, 2009.
- 2. Revised Conditions of Approval, dated June 17, 2009.
- 3. Motions for Action, revised to reflect updated Conditions of Approval

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COMMUNITY WIRELESS STRUCTURES

To: Mike Elabarger

From: Ginger Beaudoin

RE: Landscape Buffer Modification for:

SPEX 2008-0011 - Exit 6: 21881 Ashburn Village Blvd. SPEX 2008-0012 - Exit 4: 20777 Belmont Ridge Rd. SPEX 2008-0013 - Exit 3: 41631 Shreve Mill Rd.

Date: June 12, 2009

During the staff briefing to the Planning Commission on June 11, 2009, Commissioner Maio asked for an explanation as to how the change in landscape buffer occurred at our sites. She also questioned why CWS planted the red cedars just 2 years ago when the sites were constructed approximately 10 years ago. Community Wireless Structures would like to offer some history on the landscaping at these sites to clarify the need for and the timing of the modification. The three telecommunications facilities were built between 1998 and 1999. At that time, CWS planted the required type 3 & 4 landscape buffers.

In September of 2006, FiberTower filed site plan amendments for each of the sites to permit the installation of their equipment and antennas. During the review process, it became apparent that some of the landscaping had not survived. Discussions with Michel Habib, the project manager, resulted in an on-site meeting with Dana Malone, the County Arborist, to discuss a modification of the original buffer. Attached is an email from Dana dated December 18, 2006 to Michel Habib detailing the change to the buffer he approved. In addition, please find a copy of each of the FiberTower SPAM drawings detailing the landscape modification that was approved under each of the following site plan amendment applications:

- SPAM 2006-0089 Exit 3: 41631 Shreve Mill Rd. site
- SPAM 2006-0090 Exit 4: 20777 Belmont Ridge Rd. site
- SPAM 2006-0089 Exit 6: 21881 Ashburn Village Blvd.

The red cedars recommended by the County's Arborist were planted and are currently thriving at all of the sites.

Please let me know if you have additional questions or need more information. Thank you.

----Original Message----

From: Dana Malone [mailto:DMALONE@loudoun.gov]

Sent: Monday, December 18, 2006 2:37 PM

To: Michel Habib Cc: Juanita Bearer

Subject: FiberTower Sites @ Exits 3, 4, 6, & 7 along the Greenway -Type

4 Landscape Buffer

Mike,

I recently met with George Walker (WFI Zoning Specialist), Ginger Beaudoin (VP Operations @ CWS), Robert Locke (Aerial Spectrum Inc. Project Mgr) and William Baker (President of TCD, Inc.) in regard to the Type 4 landscape buffers at four FiberTower sites along the Greenway (Exits: 3, 4, 6, & 7). Sites 4, 6 & 7 had been previously landscaped and site 3 had a native deciduous forest surrounding 3 sides with active surrounding construction that could reduce or eliminate the natural tree buffers that were observed. Site 7 had most of the larger plant material remaining from the initial buffer planting while site 4 had almost nothing remaining. I would attribute poor survival on these tower sites to a difficult planting site (shale, rock and fill material), possibly poor specie selection, and possibly poor follow-up maintenance.

Eastern red cedar were observed growing naturally in varying amounts at each of the sites and in size ranging from 1 foot to just over 6 feet. Eastern red cedar is perhaps the single best specie selection for use in buffering difficult sites such as these. It is my recommendation that viable (as determined by applicants arborist) existing Type 4 vegetative components be supplemented with eastern red cedar (6' minimum height) and arranged around each tower site on the required sides and on a staggered 12' x 12' spacing (12' from row to row and 12' from tree to tree within a row). Existing eastern red cedar 6' or greater in height should be incorporated into the arrangement as well as all existing and viable canopy species. Effort should be made to preserve all naturally growing eastern red cedar trees.

Cedars are well suited to a harsh site as evidenced by those found naturally growing here and as evergreens they will provide year round screening and buffering benefits.

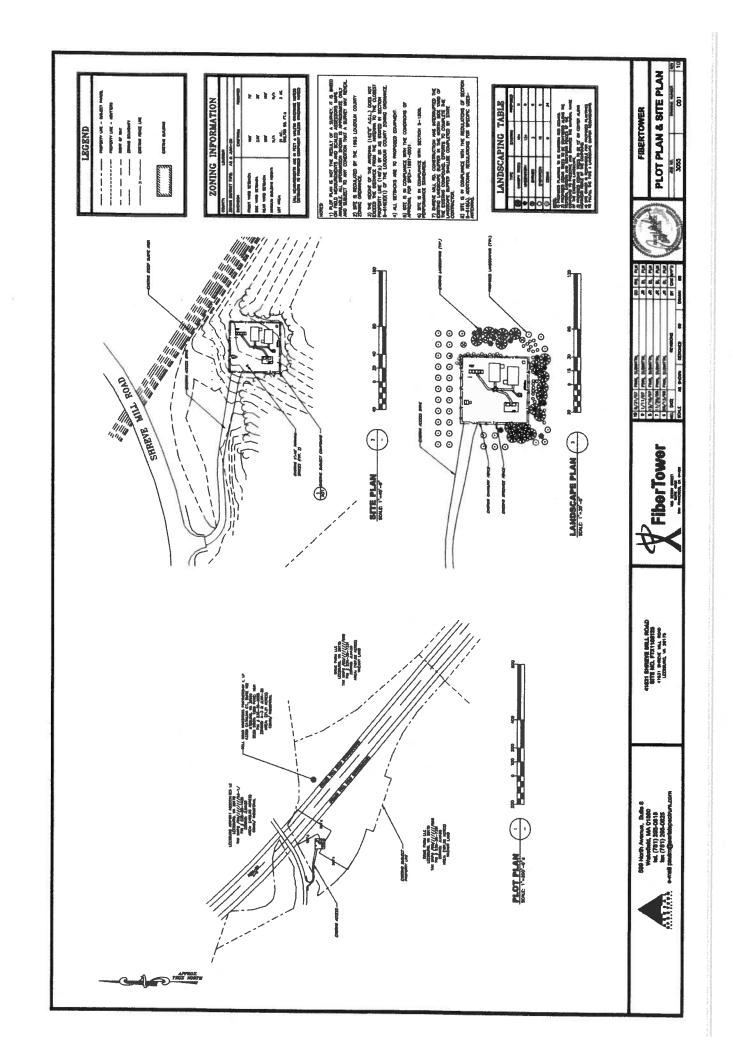
Hope this information is helpful.

Dana		

Attention:

Any views expressed in this message are those of the individual sender, except where the message states otherwise and the sender is authorized to state them to be the views of any such entity. The information contained in this message and or attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you received this in error, please contact the sender and delete the material from any system and destroy any copies.

(781) 942-0024 TITLE SHEET FIBERTOWER TOLL NOAD IMPESTORS PARTHERSHIP II, LP 43306 CATALINA CT., SLITE 102 STERLING, W. 20188 SITE QUALIFICATION PARTICIPANTS PATE **APPROVALS** N 38,05963 (30' 03' 35,39") W -77,56268 (77' 33' 45,65") FREETOWER 165 BENET ST. SLITE 4600 SAN FRANCISCO, CA 20175 LOUDDING TELECOMMUNICATIONS FACILITY TELECOMMUNICATIONS FACILITY COMPANY ACRIAL SPECTRUM INC. 41631 SHREVE MILL ROAD LEESBURG, VA PROJECT INFORMATION F.T. CONSTRUCTION CATOCTIN RF ENCHEER LANDLORD MANE MUCCI ATTRUCE (NAD 85): CONCINDE (NAD 85): ELECTION DISTRICT. CURRENT USE: PROPOSED USE: PROPERTY OWNER SCOPE OF WORK SITE ADDRESS APPLICANT THOM FIT, 405: TAKE SR-287 TO SR-459 DOT \$4 ONTO BEJLOON RODGE ROJAD. TAKE THE FIRST UTF OWN SYNCOLE DOWN. A FIRST WOUND TO SINCE THE PROST WAY, TAKE A LEFT OWN SHORENE MILL WHOM SINCE IS LOGATED AT THE EARL SINCE. **41631 SHREVE MILL ROAD** X FiberTower LOUDOUN COUNTY, VIRGINIA FiberTower **FIBERTOWER** VICINITY MAP SITE DIRECTIONS STE NO. FTXTESTS STE NO. FTXTESTS +1631 SHEET MI. NO. LETBURG. W. 2017 Lille Westergera REV. 2 9 9 LAND DEVELOPMENT APPLICATION NUMBER: SPAIK-2006-0089 FIBERTOWER, 41631 SHORVE MILL ROAD LOUDOUN COUNTY, VIRGINIA APPROVAL BLOCK PREVIOUS SITE APPLICATIONS COMPOUND PLAN & ELEVATION SPAM-2003-0102 ZCOR-2003-0037 CMPT-1997-0001 STPL-1997-0045 FIX1156125-AG CONSTRUCTION DETAILS SPEX-1997-0001 PLOT PLAN & SITE PLAN SITE DOCUMENTS DRECTOR, DEPARTMENT OF BLR.DHG & DEVELOPMENT TITLE SHEET **DRAWING INDEX** FTX1156125-D01 FTX1156125-T01 FTX1186128-C01 FTX1156125-A01



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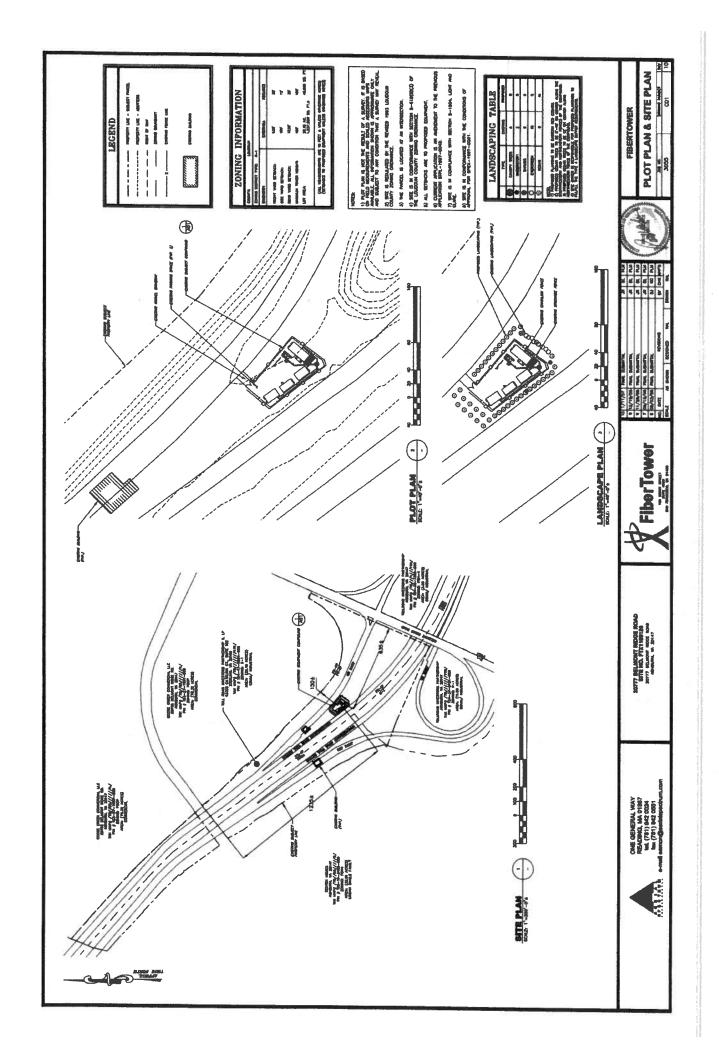
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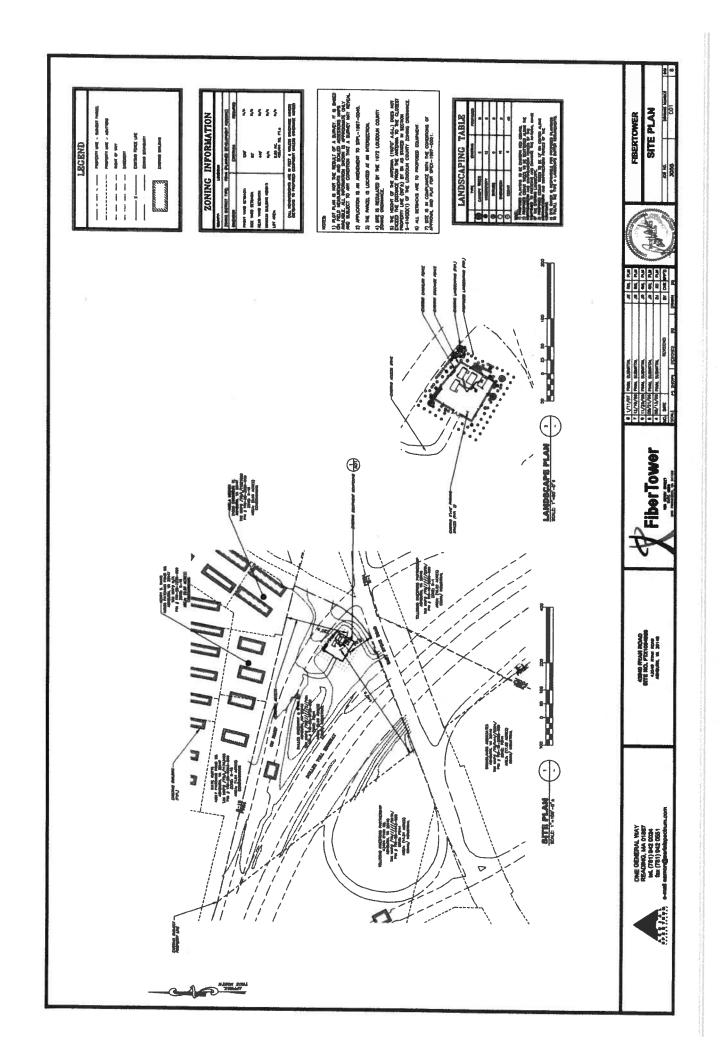
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SPAN 2006 - COM

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coloting native flora. Great care should be taken to protect these plants as an investigate for the future of each instandals also.

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SITE DOCUMENTS FIBERTOWER

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IV. CONDITIONS OF APPROVAL

(June 17, 2009)

- Substantial Conformance The proposed telecommunication facility shall be developed in substantial conformance with Sheets T-1, Z-5, and Z-7 of the Special Exception Plat, revised through June 1, 2009 and prepared by Entrex Communication Services, Inc., and the <u>Loudoun County Zoning Ordinance</u>. Approval of this application does not relieve the Applicant of any Zoning Ordinance, Codified Ordinance, or any other regulatory requirement.
- 2. <u>Fence and Buffer Maintenance</u> The Applicant or its successors shall maintain and keep in good repair and/or health the board-on-board fencing and the eastern cedar trees as depicted on the Special Exception Plat per Condition #1 above.
- 3. <u>Board-on-board Fence</u> The Applicant or its successors shall install a board-on-board fence, identical to that on the existing telecommunications compound, on the northwestern and southeastern facing sides of the compound expansion (ie, the sides requiring a Type 3 buffer).
- 4. Removal of Use The Applicant or its successors shall remove all unused related telecommunications structures and facilities from the site, including the monopole and associated equipment structures, within 90 days of cessation of commercial public telecommunications use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.

<u>Note</u>: The Applicant has agreed to provide a one time fire and rescue contribution to the County in the amount of \$0.10 per gross square foot of the compound area construction for equal distribution between the primary fire and rescue servicing companies. This contribution shall be made at the time of issuance of the applicable zoning permits. This contribution shall escalate annually from the base year of 1988 and change effective each January 1st thereafter, based on the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.

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SPEX 2008-0011, CWS Exit 6 - Ashburn Village Boulevard

SUGGESTED MOTIONS

1.	I move that the Planning Commission forward SPEX 2008-0011, CWS Exit 6,
	Ashburn Village Boulevard, to the Board of Supervisors with a recommendation of
	approval, subject to the Conditions of Approval dated June 17, 2009, and based on
	the Findings contained in the June 18, 2009 Staff Report.

Or,

1 move that the Planning Commission forward SPEX 2008-0011, CWS Exit 6, Ashburn Village Boulevard, to a work session for further review.

Or,

I move that the Planning Commission forward SPEX 2008-0011, CWS Exit 6, Ashburn Village Boulevard, to the Board of Supervisors with a recommendation of denial, based on the following Findings:

SPEX 2008-0012, CWS Exit 4 – Belmont Ridge Road

SUGGESTED MOTIONS

1.	I move that the Planning Commission forward SPEX 2008-0012, CWS Exit 4, Belmont Ridge Road, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated June 17, 2009 and based on the Findings contained in the June 18, 2009 Staff Report.
Or,	
2.	I move that the Planning Commission forward SPEX 2008-0012, CWS Exit 4, Belmont Ridge Road, to a work session for further review.
Or,	
3.	I move that the Planning Commission forward SPEX 2008-0012, CWS Exit 4, Belmont Ridge Road, to the Board of Supervisors with a recommendation of denial, based on the following Findings:

SPEX 2008-0013, CWS Exit 3 - Shreve Mill Road

SUGGESTED MOTIONS

1.	I move that the Planning Commission forward SPEX 2008-0013, CWS Exit 3, Shreve Mill Road, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated June 17, 2009 and based on the Findings contained in the June 18, 2009 Staff Report.
Or,	
2.	I move that the Planning Commission forward SPEX 2008-0013, CWS Exit 3, Shreve Mill Road, to a work session for further review.
Or,	
3.	I move that the Planning Commission forward SPEX 2008-0013, CWS Exit 3, Shreve Mill Road, to the Board of Supervisors with a recommendation of denial, based on the following Findings: